

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JAMES D. FOX,  
Plaintiff,

v.

KIM HOLLAND,  
Defendant.

Case No.15-cv-02134-NC

**ORDER TO SHOW CAUSE RE:  
FAILURE TO SERVE DEFENDANT**

A petition for writ of habeas corpus was filed in this case on May 12, 2015, and supplemented on June 1, 2015. A plaintiff has 120 days from the date the complaint is filed to serve a defendant, or else the Court may dismiss the case. Fed. R. Civ. P. 4(m). In this case, plaintiff should have served defendant by September 9, 2015; however, no proof of service has been filed with the Court. Thus, by October 23, 2015, plaintiff must file a proof of service, or explain why service cannot be completed.

**IT IS SO ORDERED.**

Dated: October 16, 2015

  
NATHANAEL M. COUSINS  
United States Magistrate Judge

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